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September 8, 2014

VIA ECF

Hon. George B. Daniels
United States District Judge
United States District Court
for the Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Sokolow, et al. v. Palestinian Liberation Organization, et al.*
Docket No. 04-CV-397 (GBD)(RLE)

Dear Judge Daniels:

I write in anticipation of the conference scheduled for September 16 for the purpose of summarizing issues that are pending before the Court:

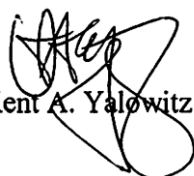
1. **Joint Pre Trial Order (“JPTO”)**: On January 22, 2014, the parties submitted a proposed JPTO to Chambers for the Court’s consideration. Subsequently, plaintiffs submitted a Second Amended and Supplemental Exhibit List (JPTO Exhibit 3-1), which provides more fulsome descriptions of each exhibit and proposed a small number of additional trial exhibits. DE 441, 520, 590. Defendants do not oppose plaintiffs’ amended descriptions, but have opposed the addition of certain of the new trial exhibits. *See* DE 551, 562.
2. **Admissibility Motion**: The parties have submitted briefing on defendants’ objections to the admissibility and authenticity of 177 trial exhibits consisting of defendants’ own records. DE 511, 526, 541. On August 22, 2014, the parties submitted charts identifying the principal statements in each of the 177 trial exhibits that they intend to use (or seek to exclude) at trial. DE 586 (plaintiffs’ chart); (defendants’ chart is undocketed). For the Court’s convenience, plaintiffs have compiled plaintiffs’ and defendants’ charts into a single document (enclosed), which illustrates what portions of the documents (if any) are actually in dispute.

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3. **Sanctions Motion.** Plaintiffs' motion for evidentiary sanctions for violating discovery orders is pending before Judge Ellis. DE 507, 563; (defendants' opposition is undocketed).
4. **Summary Judgment Motions:** Plaintiffs' Motion for Summary Judgment on Defendants' Fourth Affirmative Defense (DE 489, 523, 552), and Defendants' Motion for Summary Judgment (DE 496, 545, 554) have been fully briefed.
5. **Motions *in Limine*:** The parties each submitted a motion *in limine*. DE 486, 524, 553 (plaintiffs' motion); DE 499, 521, 555 (defendants' motion).
6. **Defendants' Motion to Sever:** Defendants moved to sever the trial into 14 sub-parts, with separate trials for liability and damages for each of the seven terrorist attacks at issue. Plaintiffs oppose that motion and request that all issues proceed to trial as scheduled. DE 560, 571, 580.
7. **Plaintiffs' Motion for an Anonymous Jury:** Plaintiffs requested that the Court empanel an anonymous, semi-sequestered jury for trial. Defendants oppose that motion. DE 556, 570, 572.
8. **Jury Questionnaire:** The parties have submitted a proposed jury questionnaire for the Court's consideration, with highlighting to identify disputed questions (DE 573), as well as correspondence regarding the disputed items. DE 576, 584.
9. **Requests to Charge:** On August 8, 2014, the parties submitted proposed jury instructions. DE 582, 583. The parties submitted objections on August 22, 2014. DE 591, 592. Defendants' objections seek additional instructions not included in their original requests and raise new legal and factual issues, to which plaintiffs wish to respond at a time directed by the Court.

Respectfully,


Kent A. Yalowitz

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cc: All ECF Counsel